

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax** (571)-273-2885

JUN 09 2006

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Not for filing or for any change of address)

26308 7590 03/06/2006  
**RYAN KROMHOLZ & MANION, S.C.**  
**POST OFFICE BOX 26618**  
**06/12/2006 RMEBRAH1 00000029 09421635**

01 FC:1501 1400.00 OP  
02 FC:8001 30.00 OP

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Linda S. Wenzel	(Depositor's name)
<i>Linda S. Wenzel</i>	(Signature)
5 June 2006	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,635	10/19/1999	MARK A. REILEY	1759.16690	4414

TITLE OF INVENTION: HAND-HELD INSTRUMENTS THAT ACCESS INTERIOR BODY REGIONS

01 FC:1501 1400.00 OP  
02 FC:8001 30.00 OP

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	06/06/2006
EXAMINER		ART UNIT	CLASS-SUBCLASS		
AHMED, AAMER S		3763	606-185000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list Ryan Kromholz & Manion, S.C.  
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Kyphon Inc.

Sunnyvale, California / US

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group-entity  Government

4a. The following fee(s) are enclosed:

- Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies 10

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-2360 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date 5 June 2006

Typed or printed name Daniel D. Ryan

Registration No. 29,243

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Customer No. 26308

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Reiley et al.  
Serial No.: 09/421,635  
Filed: 19 October 1999  
For: Hand-Held Instruments that Access Interior Body Regions

Group No.: 3763  
Examiner: Ahmed, Aamer S.

Date of mailing of PTOL 85 entitled  
"Notice of Allowance and Base Issue Fee Due" 6 March 2006

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF NEW DRAWINGS TO CORRECT INFORMALITIES  
WITHIN THREE MONTH PERIOD OF RESPONSE SET IN  
NOTICE OF ALLOWABILITY (PTOL 37)

1. To correct the informalities in the drawings as noted in the Draftsman's objection(s) on PTO-948 applicant submits herewith new drawing(s) for this application. Number of sheets of drawings submitted 14.
2. The three month period of response set in the Notice of Allowability (PTOL 37) expires on 6 June 2006 and this submission is on or before this expiry date.

Reg. No.: 29,243

Tel. No.: (262) 783 - 1300

Customer No. 26308

SIGNATURE OF ATTORNEY

Daniel D. Ryan

TYPED NAME OF ATTORNEY

RYAN KROMHOLZ & MANION, S.C.

P.O. Box 26618

Milwaukee, Wisconsin 53226

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed as follows: Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Linda S. Wenzel  
(TYPE OR PRINT NAME OF PERSON MAILING PAPER)

(SIGNATURE OF PERSON MAILING PAPER)

Date 5 June 2006